

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BREAKIRON,	:	
Petitioner	:	
	:	Civil Action No. 00-300
v.	:	
	:	Judge Nora Barry Fischer
MARTIN HORN, et al.,	:	
Respondents	:	THIS IS A CAPITAL CASE

**RESPONSE TO SUPPLEMENTAL MOTION
TO AMEND PETITION FOR HABEAS CORPUS**

Respondents, through their attorneys, do not object to the petitioner's motion to amend Amended Claim 4 of his habeas petition to include the claims described in his motion related to the assault of Vincent Sterbutzal. The respondents deny the allegations contained in Amended Claim 4 (as further amended).

THOMAS W. CORBETT, JR.
Attorney General

BY: */s/ Christopher D. Carusone*
CHRISTOPHER D. CARUSONE
Senior Deputy Attorney General
Attorney ID# 71160

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Date: July 20, 2007

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CERTIFICATE OF SERVICE

AND NOW, this 20th day of July, 2007, I, Christopher D. Carusone, Senior Deputy Attorney General, counsel for respondents in the above-captioned matter, hereby certify that I this day served the foregoing **Response to Supplemental Motion to Amend Petition for Habeas Corpus** by causing a copy of the same to be transmitted *via* email, addressed as follows:

Stuart Lev, Esquire
Stuart_Lev@fd.org
(Counsel for Petitioner)

Tricia Russell, Esquire
Tricia_Russell@fd.org
(Counsel for Petitioner)

/s/ Christopher D. Carusone
CHRISTOPHER D. CARUSONE
Senior Deputy Attorney General